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ABSTRACT

This publication is intended for teachers bringing a class to visit the National Archives in Washington, D.C., for a workshop on primary documents. The National Archives serves as the repository for all federal records of enduring value. Primary sources are vital teaching tools because they actively engage the student's imagination so that he or she may visualize past events and make sense of their reality and meaning. This publication concerns a workshop on the westward expansion of the United States. Two subjects that are featured in the workshop are the Northwest Ordinance and Geronimo, the Apache Indian chief. Photographs of both the Northwest Ordinance and Geronimo (by A. Frank Randall) are included, as are two student exercises. (DB)

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The U.S. Moves West

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FOR THE TEACHER

Thank you for arranging a National Archives workshop for your class. For too many students, history is just an endless string of dates and events chronicled in a textbook. Primary sources actively engage the student's imagination so that he or she may visualize past events and sense their reality and meaning. Before your workshop, it would be advantageous to introduce your students to primary sources with the poster-size documents and the attendant exercises we have provided. The exercises may be photocopied and should be adapted to fit your objectives and teaching style. We hope that these preliminary materials and our workshop will enhance your class's understanding and appreciation of the history of the American West.

The Northwest Ordinance

The size of the new federal republic aroused intense debate at the Constitutional Convention in 1787. According to Enlightenment thinkers, republics stood the best chance of survival if territorial limits remained small. If this was true, a problem existed for the delegates debating the formation of a republican government — the new nation stretched from the 13 coastal states to the Mississippi River. The Virginia lawyer James Madison, however, was able to articulate a justification for an expansive republic. According to Madison, the greatest threat to a republic arose when a majority faction tyrannized others. As Madison argued in "Federalist No. 10," once you "extend the sphere" of government, "you take in a greater variety of parties and interests; you make it less probable that a majority . . . will have a common motive to invade the right of other citizens; or, if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other." Madison, who later as Secretary of State presided over the huge Louisiana Purchase in 1803, welcomed westward expansion from the outset, as did a majority of delegates at the Convention.

It was no coincidence that the Continental Congress's last official act under the Articles of Confederation during the summer of 1787 dealt with the issue of westward expansion. With a bare quorum of eight states represented, the dying Congress enacted the Northwest Ordinance of 1787, which created guidelines for governing the territories of the Old Northwest until they were ready for statehood. Its terms called for Congress to appoint a governor, secretary, and three judges, who would govern until the population of a territory reached 5,000, at which time the settlers would elect a legislature. The territorial legislature would then rule in conjunction with a council of five selected by the governor and Congress. As soon as the population grew to 60,000, inhabitants could write a constitution and apply for statehood on terms of equality with the original 13. The same process that led to the statehood of Ohio, Indiana, Michigan, Illinois, and Wisconsin continued to be used in the 20th century, when Hawaii and Alaska were admitted as states in 1959.

The Northwest Ordinance was one of the most important acts passed by Congress under the Articles of Confederation. It guaranteed that new states would be on an equal footing with the old, and it protected civil liberties. Ask your students to read the reproduction of the ordinance on the front of your poster. In particular, direct their attention to "Article the First," "Article the Second," "Article the Third," and "Article the Sixth." They should understand that these provisions guaranteed freedom of religion, trial by jury, and public support for education. Also, they should realize that because slavery was prohibited in the territory, the ordinance was the first piece of national legislation that deterred the expansion of slavery. The knowledge and understanding of these provisions allows students to contemplate some of the fundamental rights and responsibilities necessary for a truly democratic society.

Geronimo

Another provision under "Article the Third" of the Northwest Ordinance, however, did not endure in view of the plight of American Indians over the course of the next century.

> *The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress . . .*

The early policies of the U.S. government toward American Indians can best be described as equivocal. Within 100 years relations between the tribes and the government steadily deteriorated into a series of brutal "Indian wars" in the latter half of the 19th century.

In the last desperate days of these Indian wars, after the death of Crazy Horse and the surrender of Chief Joseph of the Nez Perce, the theater of U.S. military operations shifted from the Plains to the American Southwest. There, four bands of Chiricahua Apache roamed freely across southern Arizona and into Mexico. The Chiricahua had many notable leaders, such as Cochise, Mangas Coloradas, Delgadito, and Victorio. By 1881 all four were dead. But for 5 more years, a charismatic warrior of the Deindai band of the Chiricahua, known as Geronimo or Goyahkla (meaning "one who yawns") in Apache, fought the relentless advance of settlers and carved a place for himself in the history of the American Southwest.

Around 1823 Goyahkla was born in the upper Gila River country of western New Mexico, in what was Mexican territory at the time. His hatred for the Mexicans was as deeply rooted as it was understandable. In 1850 near Janos, Mexico, Goyahkla's mother, wife, and three children were slaughtered by Mexican soldiers. As leader of the avenging Apache at Arizpe in Sonora, Mexico, he performed such daring feats that the Mexicans singled him out with the sobriquet Geronimo, perhaps for St. Jerome. It was said that during the battle he repeatedly charged through waves of bullets to kill soldiers with his knife. When the Mexican soldiers saw the furious Apache approaching, they cried out in desperation, "Geronimo!"

Geronimo's war career was tied to that of his brother-in-law, Juh, a Chiricahua chief. Although he was not a hereditary leader, Geronimo appeared so to outsiders because he often acted as spokesman for the chief, who had a speech impediment. In 1872 the U.S. government established an initial reservation for the Chiricahua Apaches that included a major portion of their homeland. Geronimo was unhappy with the prospect of reservation life, but his dismay turned to anger when the Chiricahua were evicted from their homeland reserve and forcibly resettled with their occasional enemy, the Western Apache, on the arid San Carlos reservation in eastern Arizona. Geronimo bitterly resented the move and fled in the night with some 700 men, women, and children who refused to give up their freedom. By 1875 the U.S. government had branded Geronimo the chief opponent of the policy to consolidate all Apache and called for his arrest. He was soon captured and returned to the new reservation. For the remainder of the 1870s, he and Juh alternated between the quiet life on the reservation and raiding attacks, but with the slaying of an Apache prophet in 1881, they returned to full-time hit-and-run raids from a secret stronghold in the Sierra Madre.

In May 1882, Apache scouts working for the U.S. Army located Geronimo in his mountain sanctuary, and he agreed to return with his people to the reservation. After a year of farming, the sudden arrest and imprisonment of the Apache warrior Kaahteney prompted Geronimo to flee on May 17, 1885, with 35 warriors and 109 women and children. In January 1886, Apache scouts discovered Juh's mountain hideout. This event induced Geronimo's surrender to Gen. George Crook. Geronimo later fled again, and his final surrender to Gen. Nelson Miles on September 4, 1886, marked the end of a chapter in Apache and western American history. It also meant that because of their determined resistance the Chiricahua would be punished as no other American Indian tribe had been. All 450 Apache men, women, and children served nearly 30 years as prisoners of war, first in Florida and Alabama, then at Fort Sill in Oklahoma. In 1913 space was created for the Chiricahua at the Mescalero reservation in south-central New Mexico. In both Fort Sill and Mescalero, the descendants of Geronimo and the Chiricahua live today.

On the back of your poster is a reproduction of the earliest known photograph of Geronimo. Taken by A. Frank Randall at San Carlos in the spring of 1884, Geronimo was about age 60. Your students will notice that Geronimo holds a rifle and not the stereotypical "bow and arrow." They should realize that although Army troops had a temporary technological advantage over American Indian tribes, this edge was not always certain. American Indian warriors sometimes carried repeating rifles during the latter half of the 19th century and often outgunned opposing Army forces, who were outfitted with inexpensive single-shot rifles and carbines. In the end, students should understand that military force alone did not destroy American Indian resistance. Only in conjunction with diseases, the decimation of the buffalo, and increased numbers of settlers moving west were the tribes tragically overwhelmed.

What is the National Archives?

Established in 1934, the National Archives helps preserve our nation's history by serving as the repository for all federal records of enduring value. It thus serves the federal government, researchers of many topics, and the American public. Because federal records reflect and document more than 200 years of American development, the records in the National Archives holdings are great in number, diverse in character, and rich in information.

Before your students participate in a tour or a workshop, they should be familiar with the mission of the National Archives. We recommend that you present your students with the following vocabulary words and questions:

- *Please define Archives, Archivist, Document, Record, Preservation.*
- *Why do you and your family save documents? Why are they important?*
- *The U.S. government keeps its records in the National Archives.*
  Why does the government save its records?
- *What kinds of records might the U.S. government want to save?*
- *What famous documents are at the National Archives?*

You will be called by the National Archives docent assigned to your class about a week before the date of your tour or workshop. If the workshop will be held in your classroom, then please be prepared to relay information concerning directions, parking, and school check-in procedures.

Whether it is our Behind-the-Scenes Tour or one of our Primary Document Workshops, we are confident that the experience will provide an exciting new look at history. In order to assess our performance, we would appreciate your cooperation in completing the enclosed evaluation form and returning it in the self-addressed, stamped envelope provided.

If you have any additional questions regarding your tour or workshop, please contact the Volunteer and Tour Office Staff at 202-501-5205.

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Exercise I:

The Northwest Ordinance of 1787

Read the document carefully in order to determine its historical significance.

1. What type of document is this? What is its purpose? _____

_____

2. According to the ordinance, who would appoint a governor, secretary, and three judges for the said territory? _____

3. When could a territory apply for statehood? Would they be on equal political terms with the original 13 states? If so, why is this important? _____

_____

_____

4. What is the meaning of "Article the First"? _____

_____

5. Define *habeas corpus*. What is the meaning of "Article the Second"? _____

_____

_____

6. Why would "the means of education . . . forever be encouraged"? _____

_____

_____

7. Would slavery exist in the territories? Yes? No? Yes and No? Why? _____

_____

_____

8. How were American Indians to be treated? _____

_____

Exercise II:

Geronimo

Study the photograph carefully after you have become acquainted with the life story of this Apache warrior.

1. About what age does Geronimo look in this photograph? _____

2. Had he already become a legend by the time the photograph was taken? _____

_____

3. Why was he called Geronimo, when his Apache name was "Goyahkla"? Translate "Goyahkla" into English. _____

_____

_____

4. Where do you think this photograph was taken? _____

5. If you knew nothing about Geronimo, what would be your first impression of him based just on the photograph? _____

_____

_____

6. Why do you think this photograph was taken? _____

_____

7. Why would Geronimo have a gun and not a bow and arrow or a tomahawk? _____

_____

_____

An ORDINANCE for the GOVERNMENT of the TERRITORY of the UNITED STATES, North-West of the RIVER OHIO.

BE IT ORDAINED by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among their children, and the descendants of a deceased child in equal parts; the descendants of a deceased child or grand-child, to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate, shall have in equal parts among them their deceased parents share; and there shall in no case be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. ——— And until the governor and judges shall adopt laws as herein after mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be, (being of full age) and attested by three witnesses; — and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskias, Saint Vincent's, and the neighbouring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked, he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office; it shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department; and transmit authentic copies of such acts and proceedings, every six months, to the secretary of Congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behaviour.

The governor and judges, or a majority of them, shall adopt and publish in the district, such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress, from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

The governor for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same, below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof——and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly; provided that for every five hundred free male inhabitants there shall be one representative, and so on progressively with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the legislature; provided that no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States three years and be a resident in the district, or unless he shall have resided in the district three years, and in either case shall likewise hold in his own right, in fee simple, two hundred acres of land within the same:—Provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district; or the like freehold and two years residence in the district shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years, and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom to be a quorum, and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term; and every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of re-

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presentatives, shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue and dissolve the general assembly, when in his opinion it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office, the governor before the president of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house, assembled in one room, shall have authority by joint ballot to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said territory;—to provide also for the establishment of states, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared by the authority aforesaid, That the following articles shall be considered as articles of compact between the original states and the people and states in the said territory, and forever remain unalterable, unless by common consent, to wit:

Article the First. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments in the said territory.

Article the Second. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law; all persons shall be bailable unless for capital offences, where the proof shall be evident, or the presumption great; all fines shall be moderate, and no cruel or unusual punishments shall be inflicted; no man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land; and should the public exigencies make it necessary for the common preservation to take any person's property, or to demand his particular services, full compensation shall be made for the same:— and in the just preservation of rights and property it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall in any manner whatever interfere with, or affect private contracts or engagements, bona fide and without fraud previously formed.

Article the Third. Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorised by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

Article the Fourth. The said territory, and the states which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the articles of confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory, shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expences of government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states; and the taxes for paying their proportion, shall be laid and levied by the authority and direction of the legislatures of the districts or districts or new states, as in the original states, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts, or new states, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common highways, and forever free, as well to the inhabitants of the said territory, as to the citizens of the United States, and those of any other states that may be admitted into the confederacy, without any tax, impost or duty therefor.

Article the Fifth. There shall be formed in the said territory, not less than three nor more than five states; and the boundaries of the states, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western state in the said territory, shall be bounded by the Mississippi, the Ohio and Wabash rivers; a direct line drawn from the Wabash and Post Vincent's due north to the territorial line between the United States and Canada, and by the said territorial line to the lake of the Woods and Mississippi. The middle state shall be bounded by the said direct line, the Wabash from Post Vincent's to the Ohio; by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern state shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: Provided however, and it is further understood and declared, that the boundaries of these three states, shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of lake Michigan; and whenever any of the said states shall have sixty thousand free inhabitants therein, such state shall be admitted by its delegates into the Congress of the United states, on an equal footing with the original states in all respects whatever; and shall be at liberty to form a permanent constitution and state government: Provided the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the state than sixty thousand.

Article the Sixth. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in punishment of crimes whereof the party shall have been duly convicted: Provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

DONE by the UNITED STATES in CONGRESS assembled, the 13th day of July, in the year of our Lord 1787, and of their sovereignty and independence the 12th.

Attest: Cha. Thomson Sec'y

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"Geronimo" by A. Frank Randall
The National Archives

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